IN THE DRAWINGS

Applicants propose to insert the caption "PRIOR ART" into Figs. 2 and 3 of the drawings in accordance with the accompanying ANNOTATED SHEETS SHOWING CHANGES.

Enclosed herewith are REPLACEMENT SHEETS in which the above changes have been incorporated.

## REMARKS

Enclosed herewith is a Substitute Specification in which the specification as filed has been amended in various places to correct typographical and grammatical errors, and to also add section headings.

In support of the above, enclosed herewith is a copy of the specification as filed marked up with the above changes.

The undersigned attorney asserts that no new matter has been incorporated into the Substitute Specification.

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

Applicant believes that the above changes answer the Examiner's 35 U.S.C. 112, paragraph 1, rejection of claim 2, and respectfully requests withdrawal thereof.

The Examiner has rejected claims 1-5 and 7-11 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0009033 to Christensen. Applicant acknowledges that the Examiner has found claim 6 allowable over the prior art of record.

The Christensen patent publication discloses identifying copy protected optical compact discs in which data identifying copy protection techniques are placed in unused sectors of a CD, particularly in the lead-in area. While a CD reader (player) does

not use these sectors and would ignore the data therein, test equipment would read this data and be able to identify the copy protection scheme.

The subject invention relates to a method of and apparatus for providing read-only record carriers which are nonetheless capable of having user data recorded thereon at predetermined recordable positions after mastering of the record carrier; a method of and apparatus for recording user data to such read-only record carriers; and read-only record carrier on which, after mastering, user data may be recorded thereon at predetermined recordable positions. To that end, the method of providing the read-only record carriers includes "setting the subcode symbols at said predetermined recordable positions to a first predetermined symbol value during mastering", "calculating, for each subcode frame, error detections data over certain subcode data of said subcode frame including said subcode symbols set to said first predetermined symbol value", "storing said error detection data at auxiliary data positions in said subcode frame", and "setting error detection data positions in said subcode frame to a second predetermined symbol value", "wherein said predetermined recordable positions of said subcode frames are provided for recording of user data to said predetermined recordable postions during writing of data, and said error detection data positions of said subcode frames are provided for recording correct error detection data,

calculated after recording said user data to said predetermined recordable positions, to said error detection data positions".

The Examiner has indicated that the step "setting the subcode symbols at said predetermined recordable positions to a first predetermined symbol value during mastering" may be found in Christensen at paragraphs [0054]-[0058].

Applicants submit that while Christensen discloses setting the Q-mode address field 530 to a certain predetermined value, to wit, 0001, there is no disclosure in Christensen that the Q-mode field 530 is a predetermined position at which user data may be recorded after mastering.

The Examiner further indicated that the step "calculating, for each subcode frame, error detections data over certain subcode data of said subcode frame including said subcode symbols set to said first predetermined symbol value" may be found in Fig. 5 and references 570, while the step "storing said error detection data at auxiliary data positions in said subcode frame" is disclosed by Christensen at paragraph [0061] and at reference nos. 820 and 830 in Fig. 8.

Applicants submit that while Christensen discloses calculating the CRC inclusive of the pre-set Q-mode address field 530, Christensen does not store this calculated CRC at auxiliary data positions as in the present invention. Rather, Christensen stores the CRC in the originally intended CRC field. In the subject

invention, on the other hand, the intended CRC field, i.e., the error detection data positions, are set to a second predetermined symbol value. This is such that when the user data is recorded to the read-only record carrier, the user data is recorded in the predetermined recordable positions which heretofore contain the first predetermined symbol values, while the error detection data previously stored in the auxiliary data positions, are corrected taking into consideration the newly recorded user data, and these corrected error detection data are then stored at the error detection data positions previously containing the second predetermined symbol value.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by Christensen, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-11, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by _____
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CERTIFICATE OF MAILING

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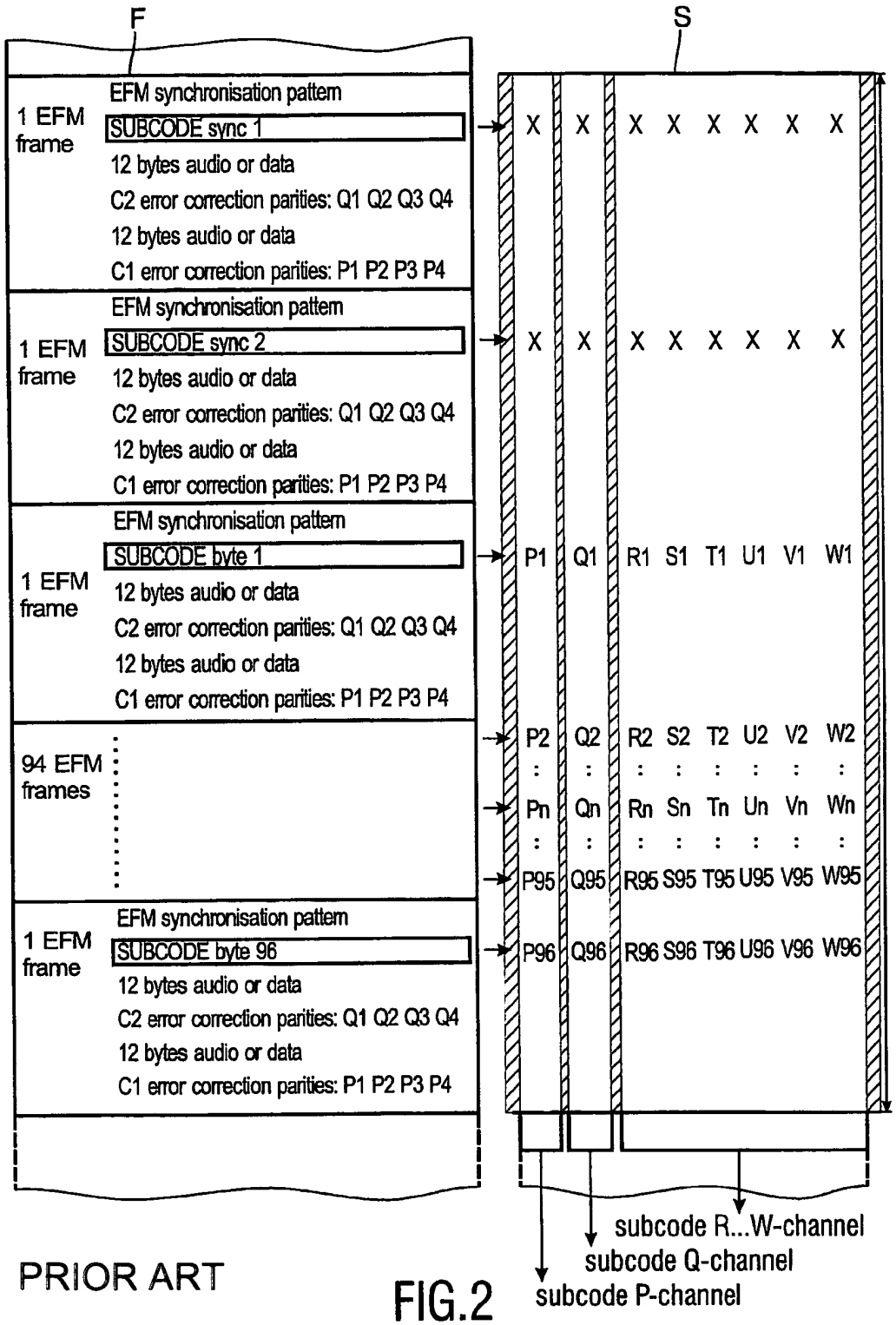
On February 14, 2006

By Burnett James




PRIOR ART

FIG.2

ANNOTATED SHEET SHOWING CHANGES



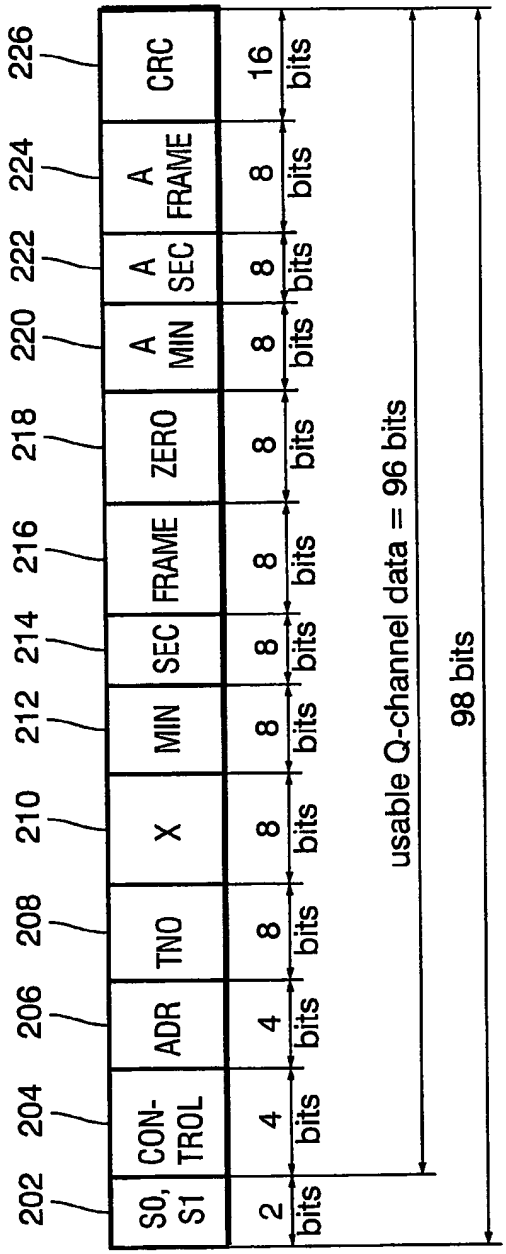



FIG.3 PRIOR ART